

EXHIBIT 1

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOYCE TOTH, individually and on behalf of)
all others similarly situated,)
Plaintiff) Case No. 1:23-cv-11043
)
v.)
EVERLY WELL, INC. and EVERLY)
HEALTH, INC.,)
Defendants)

**DECLARATION OF ANNA C. HAAC IN SUPPORT OF
PLAINTIFF'S MOTION FOR LIMITED DISCOVERY**

I, Anna C. Haac, hereby declare as follows:

1. This declaration is made in support of Plaintiff's Motion for Limited Discovery.
2. I am a partner in the Washington, D.C. office of the firm Tycko & Zavareei LLP ("Tycko & Zavareei") and counsel of record for Plaintiff Joyce Toth ("Ms. Toth") in the above-captioned case. I make this declaration based on my personal knowledge and the records of my law firm. If called upon to do so, I could and would testify competently to the matters set forth herein.
3. A Wayback Machine capture of Target's product page displaying the original packaging of the "EverlyWell Food Sensitivity Test" on March 21, 2022, retrieved from <https://web.archive.org/web/20220321151532/https://www.target.com/p/everlywell-food-sensitivity-test-lab-fee-included/-/A-76157573%23lnk%3Dsametab> on July 10, 2023, is attached hereto as **EXHIBIT A**.
4. A Wayback Machine capture of Target's product page displaying the original packaging of the "EverlyWell Food Sensitivity Test" on May 21, 2022, retrieved from

<https://web.archive.org/web/20220521041108/https://www.target.com/p/everlywell-food-sensitivity-test-lab-fee-included/-/A-76157573> on July 10, 2023, is attached hereto as **EXHIBIT B.**

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 11th day of July 2023, in Washington, D.C.



ANNA HAAC (pro hac vice)
ahaac@tzlegal.com
TYCKO & ZAVAREEI LLP
2000 Pennsylvania Ave., NW., Suite 1010
Washington, D.C. 20006
Tel.: (202) 973-0900
Fax: (202) 973-0950